THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8402 OF 2003

17.02.2006

Between:

D.Venkatesham, S/o.Shankeraiah

And others

… Petitioners

AND

The District Collector, Ranga Reddy District

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8402 OF 2003

ORDER:

The petitioners who are nineteen in number assail the auction notice issued by first respondent in respect of various extents of land in survey No.25/P, 34, 96, 4, 44, 125, 128, 119, 239, 174 and 236 of Serilingampally area (in different villages). They also seek a direction to the first respondent to confirm the alienation proposals in accordance with law. It is the case of the petitioners that all of them purchased the house sites in various sub division survey numbers in survey No.207 of Chandanagar village of Srilingampally Mandal. According to the petitioners, the land in survey No.207 is a patta land and after purchasing the land under registered sale deeds, they constructed compound walls and some of them constructed two room tenements. It is their further case that by issuing impugned notification dated 21.4.2003, the District Collector is trying to sell the lands in survey No.207 as well.

The Mandal Revenue Officer, Serilingampally (MRO) has filed a counter affidavit. It is stated that the land in survey No.207 is a patta land and that the respondents are not concerned with the said land. It is also made clear that the land in survey

Nos.174 and 207 are two separate survey numbers and the land in survey No.174 admeasuring Acs.2.20 is classified as circari poramboke whereas the land in survey No.207 is a private land. The allegation that the respondents are disposing of the land in survey No.207 is denied.

Though the interlocutory applications are listed, the matter was heard finally. A bare perusal of the impugned notification dated 21.4.2003 would show that the first respondent issued a notice proposing to conduct public auction of lands in various villages of Serilingampally Mandal including Chandanagar village. The lands in three survey numbers of Chandanagar village, namely, survey Nos.174, 236 and 239 is sought to be auctioned, as it is a government poramboke. The land in survey No.207 is not one of the lands, which is proposed to be auctioned, and therefore, the apprehension of the petitioners is misconceived. Though the respondents filed application being W.V.M.P.No.2889 of 2005 for vacating the interim order on 17.10.2005, a reply affidavit is not filed. This only shows that various averments made by the MRO in the counter affidavit stand proved.

The writ petition is misconceived and is accordingly dismissed.

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(**V.V.S.RAO, J**)

February 17, 2006

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